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| 10/607,194 | 06/25/2003 | Mark J. Radcliffe | MS1-1547US | 5791 |

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| EXAMINER |
|---|
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Please find below and/or attached an Office communication concerning this application or proceeding.

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 10/607,194 | RADCLIFFE ET AL. |
| | Examiner | Art Unit | |
| | Joshua D. Crabtree | 3715 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

## Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.**
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)☒ Responsive to communication(s) filed on <u>*25 June 2003*</u>.

2a)☐ This action is **FINAL.**     2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)☒ Claim(s) <u>*1-48*</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>*1-48*</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

## Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>*25 June 2003*</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>6/25/03</u>.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1.      The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3, 7, and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by

Aoyama (JP04013288A). Aoyama discloses a karaoke device, which is designed to

"notify many people, even a primary school pupil who cannot read Chinese characters

(KANJI) or a foreigner who cannot understand Japanese, of the lyrics of popular songs,

etc., to enjoy the KARAOKE (orchestration without lyrics) with superimposed lyric lines

by storing the lyrics data with plural kinds of characters and controlling this lyrics data

by switching." (See Abstract) Aoyama discloses identifying a preferred language for

displaying lyrics associated with an audio file, identifying lyric data associated with the

audio file associated with the preferred language, and playing the audio file and

displaying the identified lyric data. Aoyama discloses, "Lyrics storage means are

provided to store the lyrics data with plural kinds of character, a switch operating

means is to select a kind of an arbitrary character from plural kinds of characters, and

selection control means are to output the designated kind of the lyrics data by this

switch operating means after selecting from the lyrics storing means to display the lyrics of a kind of a character specified by a singer on a display. Thus, the selected kind of character, for example, the lyrics written in a cursive form of the Japanese syllabary writing (HIRAGANA), square form of the Japanese syllabary writing (KATAKANA), or English can be displayed on the display device. Many people can enjoy the KARAOKE by displaying the lyrics of songs in the kind of character corresponding to the singer." (See abstract; see also Figs. 1-3).

Regarding claim 3, Aoyama discloses storage of lyric data separately from an audio file. Aoyama discloses, "Lyrics storage means are provided to store the lyrics data" (See abstract).

Regarding claim 7, Aoyama discloses, "the lyrics written in a cursive form of the Japanese syllabary writing (HIRAGANA), square form of the Japanese syllabary writing (KATAKANA), or English can be displayed on the display device" (See Abstract). Thus the user is capable of viewing a language (Japanese), and a sublanguage (Hiragana or Katakana).

Regarding claim 8, Aoyama discloses a computer memory (See "RAM", Fig. 1), a flowchart for a computer program (See Fig. 3), and a processor (See "CPU", Fig. 1).

2.      Claims 9-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Qian et al. (US 2002/0193895). Qian et al. disclose an "Enhanced encoder for synchronizing multimedia files into an audio bit stream" (See Title).

Regarding claim 9 and the limitation of receiving a request to play an audio file, Qian et al. disclose menu options in which audio files are requested (See Fig. 2f).

Regarding the limitation of lyric segments having associated time codes, wherein each time code identifies a time during playback of the audio file that a corresponding lyric segment is displayed, Qian et al. disclose "The interface may then synchronize the at least one multimedia file with the audio file, and when the multimedia file includes lyrical data, synchronize the lyrical data with the voice recording in accordance with the syllables tags. Such that the synchronizing generates an intermediate file that includes for each multimedia file at least one corresponding time stamp to indicate the position and time for where the multimedia file is to be synchronized within the audio file." (See Abstract) Regarding the limitation of playing the audio file and displaying the appropriate lyric segments as the audio file plays, Qian discloses this in Fig. 3.

Regarding claim 10 and the limitation of a means for identifying an audio file to play, Qian et al. disclose, "The interface includes the ability to retrieve an audio file" (See Abstract). Regarding the limitation of a means for identifying lyric segments associated with the audio file, wherein each lyric segment has an associated time code, and wherein the time codes identify periods of time during playback of the audio file, Qian et al. disclose, "When the multimedia file includes lyrical data that corresponds to the voice recording on the audio file, the interface provides the ability to define syllable tags within the lyrical data. The interface may then synchronize the at least one multimedia file with the audio file, and when the multimedia file includes lyrical data, synchronize the lyrical data with the voice recording in accordance with the syllables tags. Such that the synchronizing generates an intermediate file that includes for each multimedia file at least one corresponding time stamp to indicate the position

and time for where the multimedia file is to be synchronized within the audio file. "(See Abstract) Regarding the limitation of a means for playing the audio file and displaying a lyric segment that corresponds to the current time code, see Figs. 2f-g.

Regarding claim 11, Qian et al. disclose, "the multimedia file becomes time stamped in a position that matches the position in the WAV signal. When synchronizing lyrics or text files, the individual lyric or even character may be time stamped to easy the lyric is displayed or highlighted at the precise moment." (See Paragraph [0007])

Regarding claim 12, Qian et al. disclose a graphical interface (Fig. 10) in which the user may select various points in the song, view the lyric segments associated with that segment of the song (Fig. 11), and play the audio file from the chosen location along with displaying the corresponding lyrics (Fig. 10).

Regarding claim 13, Qian et al. disclose, "the interface includes the ability to encode the audio file with the at least one multimedia file to generate a single audio bit stream, wherein the encoding uses the intermediate file to position and encode the at least one multimedia file with the audio file such that a single audio bit stream is generated that includes embedded synchronized multimedia files." (See Abstract)

Regarding claim 14, Qian et al. disclose, "the computer system being used to implement the enhance encoder functions or retrieved from the Internet" (See Paragraph [0062]).

3.      Claims 15-17, 19, and 23-28, and 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Klappert et al. (US 5,649,234).

Regarding claim 15, Klappert et al. disclose a "Method and apparatus for encoding graphical cues on a compact disc synchronized with the lyrics of a song to be played back" (See Title). Klappert et al. disclose identifying lyric segments associated with the audio file, as well as assigning a time code to each lyric segment, wherein each time code identifies a temporal location within the audio file (See Fig. 3). Regarding the limitation of saving time codes and lyric segments, the invention of Klappert et al. is described as "a method and apparatus for simplifying the steps needed to produce a graphical cue to words being displayed as they are to be sung by a performer such as in Karaoke.  The production of a CD-Graphics (CD-G) product containing compact disc ("CD") audio accompanied with a visual presentation of the lyrics is facilitated." (See Abstract) Thus the lyric and time code segments are saved on a compact disc.

Regarding claim 16, Klappert et al. disclose displaying time codes and corresponding lyric segments (See Fig. 3).

Regarding claim 17, Klappert et al disclose editing one or more time codes. (See Figs 1c, 3a-c).

Regarding claim 19, Klappert et al. disclose a "song.tga" file, which is "the graphic image of the song lyrics"(Col. 3, lines 10-11). Regarding the audio storage, Klappert et al. disclose, "The digitized audio is stored to disk in a file as song.kiff.audio." (Col. 12, lines 49-50)

Regarding claim 23, Klappert et al. disclose a "program that runs on PC 56 that builds the initial version of the song.kif file." (Col. 4, lines 1-2, See also Figs. 2a-b).

Regarding claim 24, Klappert et al. disclose static lyrics associated with an audio file. Klappert et al. disclose a "song.tga" file, which is "a visual representation of the lyrics as they will appear on a CRT. Essentially, the data in the file is a binary image of the lyrics including font and style. The file is in a graphics format known as Truevision or TGA." (Col. 2, lines 4-8). Regarding the separation of the static lyrics into segments, see Figs. 1e and 3a-c. Regarding the limitation of assigning a time code to each of the lyrics segments, wherein each time code identifies a temporal location within the audio file, see Figs. 3a-b. The limitation of saving the time codes and the corresponding lyric segments is addressed above in the rejection to claim 15.

Regarding claim 25, Klappert et al. disclose a "song.tga" file containing the lyrics, as described above in the rejection to claim 24.

Regarding claim 26, Klappert et al. disclose a "Playback Monitor" (See Fig. 2a), which is one of the "components used to create and playback a file which contains visual cues to lyrics." (Col. 1, lines 51-53). The person singing the lyrics would have to see each segment for approximately the same amount of time in order to proceed through the song without getting behind or ahead of the tempo.

Regarding claim 27 and 28, see Figs. 3a-c.

Regarding claim 31, see the above rejection to claim 23.

4.      Claims 32, 33 and 35-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Tashiro et al. (US 5,654,516).

Regarding claim 32 and the limitation of receiving a request to play an audio file, Tashiro et al. disclose a karaoke system, which "sounds a karaoke song designated

according to a request command." (See Abstract) Regarding the limitations of a

preferred and alternate language for displaying lyrics, Tashiro et al. disclose, "In

contrast to the FIG. 5(a) format where each song is assigned with one set of data

tracks, a format of FIG. 7 provides plural sets of data tracks for one song such that the

user can freely arrange the data tracks. For example, the song data involves three

word tracks, i.e., the word track 1 containing regular Japanese words, the word track 2

containing a foreign language version thereof, and the word track 3 containing parody

words." (Col. 10, lines 35-45). Thus Tashiro discloses the possibility of either having just

one set of data tracks (Fig. 5a), or having multiple sets of data tracks and, by extension,

multiple languages (Fig. 7).

Regarding claim 33, Tashiro et al. disclose, "For example, the song data involves

three word tracks, i.e., the word track 1 containing regular Japanese words, the word

track 2 containing a foreign language version thereof" (Col 10, lines 35-40). By using the

phrase "for example", Tashiro et al. leave open the possibility that the first language in

track 1 could be English.

Regarding claim 35, Tashiro et al. disclose, "the initial Japanese language words

can be switched to foreign language words in the middle of the karaoke performance."

(Col. 11, lines 34-37).

Regarding claim 36, Tashiro et al. disclose a karaoke system, which "sounds a

karaoke song" (See Abstract). Regarding the limitation of a time code associated

playback location, Tashiro et al. disclose a multimedia sequencer, which can "execute

in real time basis a multiple of events of plural tracks contained in one song data in

synchronization with each other under the software control." (Col. 11, lines 47-50).

Regarding the limitation of associating lyric segments with time codes, Tashiro et al.

disclose, "the word track is divided into time-sequential sections of A1, A2, ...AN, the

accompaniment track is likewise divided into time-sequential sections of B1, B2, ...BN,

and the digital voice track is likewise divided into time-sequential sections of C1, C2,

...CN. Then, as shown in the FIG. 5(b) format, the first sections A1, B1 and C1 are

collected from the respective tracks to compose a first track." (Col. 9, lines 1-7).

Regarding the display of lyric segments corresponding to the song, Tashiro et al.

disclose a "video unit for displaying background pictures and word characters along

with the reproduction of the karaoke song" (Col. 1, lines 26-28).

Regarding claim 37, Tashiro et al. disclose computer-readable memory

containing a program (See "Program ROM" in Fig. 17), and a processor (See "CPU" in

Fig. 17).

5.      Claims 38, 39 and 42 are rejected under 35 U.S.C. 102(b) as being anticipated

by Okamura et al. (US 5,194,682). Okamura et al. disclose a "musical accompaniment

playing apparatus" (See Title). Regarding the limitation of an audio player, Okamura

disclose a "sound source unit" (See Abstract). Regarding the limitation of a language

selection module for displaying lyrics, Okamura et al. disclose, "one lyric (for example,

lyric of the Japanese) is ordinarily displayed.  If a singer selects another lyric by making

use of the operation unit depending upon his or her preference, alternation of music is

ready to be made at any time from that time point.  For example, an alternation from the

Japanese to the English, and to the Japanese for a second time may be carried out, or

lyrics of the Japanese and the English may be displayed at the same time. In the lyrics

data, data of display color and/or display timing, etc. are also included." (Col. 14, lines

63-70) Regarding the limitation of a lyric display module, Okamura et al. disclose "The

lyrics file LF is a file for storing data lyrics Telop displayed on a monitor television, and

includes data area of LF1 to LF13. Among them, data of the lyrics themselves are

stored into the LF3, LF7 and LF11. Further, data relating to the display timing of the

lyrics and the color change speed (scroll) are stored into LF4, LF8 and LF12." (Col. 9,

lines 65-69).

Regarding claim 39, Okamura et al. disclose "The status of the scroll map data

is COh, and data is two bytes of [Scroll Speed] and [Lyrics Count]. The number of

characters of [Lyrics Speed] is scrolled at a speed of the musical note of [Scroll Speed]

per each character." (Col. 11, lines 3-7). Thus the lyrics are presented in

synchronization with the music.

Regarding claim 41, Okamura et al. disclose "Further, data of two languages or a

parody of a song, etc. can be stored into the areas of LF6 to LF13." (Col. 11, lines 12-

15). Okamura et al. also disclose, "Further, in the case where a plurality of lyrics data

are included in the lyrics file LF (for example, in the case of lyrics of two languages or

more)..." (Col. 14, lines 60-65). Thus Okamura et al. disclose a specific location for the

language.

6.      Claims 43-46 and 48 are rejected under 35 U.S.C. 102(e) as being anticipated by

Qian et al. (US 2002/0193895).

Regarding claim 43 and the limitation of a means for identifying an audio file to play, see the above rejection to claim 10. Regarding the limitation of a means for identifying lyric segments associated with the audio file, wherein each lyric segment has an associated time code, and wherein the time codes identify periods of time during playback of the audio file, see the above rejection to claim 10. Regarding the limitation of a means for playing the audio file and displaying a lyric segment that corresponds to the current time code, see the above rejection to claim 10.

Regarding claim 44, Qian et al. disclose project properties including "setting the language, group number, title or song, album title, artist name, etc." (See Paragraph [0072]; see also Fig. 8b)

Regarding claim 45, see the above rejection to claim 13.

Regarding claim 46, Qian et al. disclose, "a graphical user interface method for a program readable machine embodying a program of instructions executable to permit the synchronization of multimedia files with an audio file to create a single encoded audio bit stream with synchronized multimedia files." (See claim 8). Qian et al. disclose the ability to receive a request to play an audio file via menu options (See Fig. 2f). The limitation of a language associated with the lyrics is addressed above in the rejection to claim 44.The remaining limitations of claim 46 are addressed above in the rejection to claim 43.

Regarding claim 48 and the limitation of computer-readable media, Qian et al. disclose, "the computer system being used to implement the enhance encoder functions or retrieved from the Internet." (See Paragraph [0062])

## *Claim Rejections - 35 USC § 103*

7.     The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Aoyama

in view of Parry (US 2002/ 0173968). Aoyama does not disclose containing lyrics data

in an audio file. Parry teaches, "Encoded audio files having embedded printable lyrics"

(See Title). Parry also teaches, "the printable lyrics are either embedded in the audio file

or stored in another file." (See Abstract) It would have been obvious to one of ordinary

skill in the art at the time of invention to incorporate the teaching of Parry into the

invention of Aoyama in order to simplify the complexity of the system by having a single

storage space for an audio file containing lyric data, as opposed to two separate storage

locations for audio data and lyric data.

8.     Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Aoyama in view of Tashiro et al. (US 5,654,516).

Regarding claim 4, Aoyama does not disclose a plurality of lyric data segments,

each of which corresponds to a particular time period of the audio file. Tashiro et al.

teach a karaoke system, in which "the word track is divided into time-sequential

sections of A1, A2, ...AN, the accompaniment track is likewise divided into time-

sequential sections of B1, B2, ...BN, and the digital voice track is likewise divided into time-sequential sections of C1, C2, ...CN. Then, as shown in the FIG. 5(b) format, the first sections A1, B1 and C1 are collected from the respective tracks to compose a first track." (Col. 9, lines 1-9, see also Figs 5a-b)

Regarding claim 5, Aoyama does not disclose lyric segments containing time codes corresponding to particular lyric segments. Tashiro teaches, "The word track is composed of a time-sequential arrangement of character codes effective to display the song word." (Col. 11, lines 14-16).

Regarding claim 6, Aoyama does not disclose displaying a particular lyric segment during playback of the audio file based on a current time code. Tashiro teaches, "the monitor displays the song words and the background picture associated to the requested karaoke song to assist in the vocal performance of the singer." (Col. 4, lines 43-47). Tashiro also teaches, "The word characters are variably displayed by the monitor such that a color of the displayed words is sequentially changed in synchronization with progression of the song so as to teach the player vocal timings." (Col. 8, lines 25-28). Tashiro also teaches, "The word track is composed of a time-sequential arrangement of character codes effective to display the song word." (Col. 11, lines 14-16). It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the teaching of Tashiro et al. into the invention of Aoyama in order to provide a karaoke system in which the lyrics are displayed in the order in which they are sung in the song, to allow the singer to sing the lyrics at the appropriate speed.

9.      Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Klappert et al. in view of Parry (US 2002/ 0173968). Klappert et al. do not disclose containing lyrics data and time segments in an audio file. Parry teaches encoding lyrics into an audio file, as addressed above in the rejection to claim 2. It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the teaching of Parry into the invention of Klappert et al. in order to simplify the complexity of the system by having a single storage space for an audio file containing lyric data, as opposed to two separate storage locations for audio data and lyric data.

10.     Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Klappert et al. in view of Sitrick et al. (US 2003/0100965). Klappert et al. do not disclose caching lyric segments and time codes if the audio file is currently in use. Sitrick et al. teach "Electronic music stand performer subsystems and music communication methodologies" (See Title) containing a "performer subsystem," which "provides for caching and buffering of the music data" (See Paragraph [0158]). Sitrick et al. also teach, "The caching and buffering eliminates the delays that would be incurred in going to and from slower large storage such as hard disk or Flash RAM or CD-ROM, to higher speed RAM, by pre-loading a portion (the cache) of the higher speed memory (e.g., RAM) in accordance with defined cache management for use by the processor in the performer subsystem." (See Paragraph [0158]) It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the teaching of Sitrick et al. into the invention of Klappert et al. in order to improve the performance of the system by storing lyric data in temporary storage while the corresponding audio file is played.

11.     Claims 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Klappert et al. in view of Aoyama. Klappert et al. do not disclose associating a

language and sublanguage with lyric segments. Aoyama teaches association of

language and sublanguage with lyrics, as addressed above in the rejection to claim 1. It

would have been obvious to one of ordinary skill in the art at the time of invention to

incorporate the teaching of Aoyama into the invention of Klappert et al. in order to make

a karaoke system capable of being used by people who speak various sublanguages.

12.     Claims 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Klappert et al. in view of Qian et al.

Regarding claim 29, Klappert et al. do not disclose saving time codes and audio

segments in the audio file. Qian et al. teach, "the interface includes the ability to encode

the audio file with the at least one multimedia file to generate a single audio bit stream,

wherein the encoding uses the intermediate file to position and encode the at least one

multimedia file with the audio file such that a single audio bit stream is generated that

includes embedded synchronized multimedia files." (See Abstract)

Regarding claim 30, Klappert et al. do not disclose associating a language with

lyrics. Qian et al. teach project properties including "setting the language, group

number, title or song, album title, artist name, etc." (See Paragraph [0072]; see also Fig.

8b). It would have been obvious to one of ordinary skill in the art at the time of invention

to incorporate the teaching of Qian et al. into the invention of Klappert et al. in order to

save storage space by storing lyric data and audio data in the same file, and provide the

feature of a language so that the user could know if he or she would be able to understand the lyrics before attempting to sing them.

13.    Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tashiro et al. in view of Parry (US 2002/ 0173968). Tashiro et al. do not disclose containing lyrics data in an audio file. Parry teaches, "Encoded audio files having embedded printable lyrics" (See Title). Parry also teaches, "the printable lyrics are either embedded in the audio file or stored in another file." (See Abstract) It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the teaching of Parry into the invention of Tashiro et al. in order to simplify the complexity of the system by having a single storage space for an audio file containing lyric data, as opposed to two separate storage locations for audio data and lyric data.

14.    Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okamura et al. in view of Parry (US 2002/ 0173968). Okamura et al. do not disclose containing lyrics data in an audio file. Parry teaches, "Encoded audio files having embedded printable lyrics" (See Title). Parry also teaches, "the printable lyrics are either embedded in the audio file or stored in another file." (See Abstract) It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the teaching of Parry into the invention of Okamura et al. in order to simplify the complexity of the system by having a single storage space for an audio file containing lyric data, as opposed to two separate storage locations for audio data and lyric data.

15.    Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okamura et al. in view of Tashiro et al. (US 5,654,516). Okamura et al. do not disclose

the limitation of a lyric data editor. Tashiro et al. teach, "the host station 30 can manage change and addition of the fonts, while the karaoke system does not need an extra font ROM. Consequently, not only the font of the same language word can be changed in terms of letter size, letter type and else"(Col. 11, lines 29-34) Thus the karaoke system of Tashiro et al. teaches the limitation of editing lyrics via the "host station". It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the teaching of Tashiro et al. into the invention of Okamura et al. in order to give the user of the system more flexibility and control over how and what lyrics are displayed.

16.    Claim 47 is rejected under 35 U.S.C. 103(a) as being unpatentable over Qian et al. in view of Okamura et al. (US 5,654,516). Qian et al. do not disclose the limitation of an alternate language. Okamura et al. teach, "Further, data of two languages or a parody of a song, etc. can be stored into the areas of LF6 to LF13. It is to be noted that such data are not stored when they are not used." (Col. 11, lines 12-15). It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the teaching of Okamura et al. into the invention of Qian et al. in order to give the user additional languages in which to view the lyrics.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D. Crabtree whose telephone number is 571-272-8962. The examiner can normally be reached on 8:00-4:30, Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Monica S. Carter can be reached on 517-272-4475. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JDC

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